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Department of Public Health*

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

FREE NOW FOUNDATION, et al.,

Plaintiffs,

v.

**ERICA PAN IN HER OFFICIAL
CAPACITY AS DIRECTOR OF THE
CALIFORNIA DEPARTMENT OF
PUBLIC HEALTH,**

Defendant.

2:24-cv-03523-DJC-SCR

**STIPULATION AND ORDER TO
EXTEND TIME TO RESPOND TO
SECOND AMENDED COMPLAINT**

Current Deadline: June 17, 2025
Stipulated Deadline: July 17, 2025

Courtroom: 7
Judge: The Hon. Daniel J. Calabretta
Action Filed: December 16, 2024

Plaintiffs Free Now Foundation, Brave and Free Santa Cruz, D.Q., by his Next Friend, Alix Mayer, A.R., by his Next Friend, Alix Mayer, T.E., by his Next Friend, Kathleen Lynch, and

1 N.D., by his Next Friend, Kathleen Lynch (collectively, Plaintiffs) and Defendant Erica Pan, in
2 her official capacity as the Director of the California Department of Public Health (CDPH
3 Director or Defendant), by and through their attorneys of record, hereby stipulate to extend the
4 CDPH Director's responsive pleading deadline by 30 days, from June 17, 2025, to July 17, 2025,
5 as follows:

- 6 1. Whereas, Plaintiffs filed their second amended complaint on June 3, 2025, and
- 7 2. Whereas, Defendant's responsive pleading deadline is June 17, 2025, and
- 8 3. Whereas, Plaintiffs filed a motion for preliminary injunction on June 4, 2025, and
- 9 4. Whereas, Defendant's opposition to Plaintiff's motion for preliminary injunction is
10 due June 18, 2025, and
- 11 5. Whereas, the hearing on Plaintiffs' motion for preliminary injunction is set for July
12 10, 2025.
- 13 6. Good cause exists for this extension. To conserve judicial resources and avoid
14 duplicative briefing, the parties agree that Defendant's time for filing a motion to dismiss
15 Plaintiffs' second amended complaint should be extended as requested.
- 16 7. This is the parties' first request to extend Defendant's deadline to respond to
17 Plaintiffs' Second Amended Complaint. The extension will not prejudice any party.
- 18 8. Accordingly, the parties stipulate that Defendant's responsive pleading deadline is
19 extended by 30 days, from June 17, 2025, to July 17, 2025.

20 IT IS HEREBY STIPULATED.
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1 Dated: June ___, 2025

Respectfully submitted,

2 ROB BONTA
3 Attorney General of California
4 JENNIFER PERKELL
5 Supervising Deputy Attorney General

6 */s/ Jacquelyn Young*
7 JACQUELYN YOUNG
8 KATHERINE GRAINGER
9 Deputy Attorneys General
10 *Attorneys for Defendant Erica Pan, in her*
11 *official capacity as the Director of the*
12 *California Department of Public Health*

13 Dated: June ___, 2025

LAW OFFICE OF RICHARD B. FOX, J.D., M.D.

14 RICHARD B. FOX, J.D., M.D.
15 *Attorneys for Plaintiffs*

ORDER

The Court, having read and considered the stipulation filed on behalf of Plaintiffs and Defendant Erica Pan, in her official capacity as the Director of the California Department of Public Health (CDPH Director), and finding GOOD CAUSE thereon, hereby grants the stipulated extension of time for Defendant CDPH Director Pan to respond to Plaintiffs' Second Amended Complaint.

IT IS HEREBY ORDERED that Defendant CDPH Director Erica Pan shall file her response to the Second Amended Complaint on or before July 17, 2025.

Dated: June 9, 2025

/s/ Daniel J. Calabretta

THE HONORABLE DANIEL J. CALABRETTA
UNITED STATES DISTRICT JUDGE